

MEETING OF  
THE DELAWARE AGRICULTURAL LANDS PRESERVATION FOUNDATION

A meeting of the Delaware Agricultural Lands Preservation Foundation was held at the Delaware Department of Agriculture, 2320 S. DuPont Hwy., Dover, Delaware, January 15, 2014, with the following members in attendance:

Robert F. Garey, Chairman  
William Vanderwende, Vice Chairman  
L. Allen Messick, Jr., Treasurer  
William H. "Chip" Narvel, Jr., Secretary  
Robert Emerson

Kevin Coyle representing Collin O'Mara, Secretary of DNREC  
Ed Kee, Secretary of Agriculture  
Lisa Embert representing Chip Flowers, Jr., State Treasurer  
Peter Martin, Forestry Council Chairman

Absent: Theodore P. Bobola, Jr.

The following staff members were in attendance: Austin Short, Deputy Secretary of Agriculture, and Chief of Planning, Howard Mesick, Milton Melendez, Scott Blaier, Kathi Spangler, and Cathy Mesick.

Others in attendance: F. Michael Parkowski, Ms. Erin Wright and Ms. Kasey Taylor.

Chairman Garey opened the meeting at 8:30 a.m. and introduced Ms. Kasey Taylor, NRCS State Conservationist, and Ms. Erin Wright with the law firm of Parkowski, Guerke and Swayze.

**I. Current Situation Report:**

Scott Blaier informed the Board that we have a total of 1,210 farms in preservation districts totaling 167,194 acres, with a total of 754 farms under agricultural easements totaling 110,954 acres at a cost of \$198,780,209. For PDR 18, there are a total of 104 farms, comprising 10,919 acres, with a value of \$55,293,000. For the Forestland Preservation Program there are 37 Forestland Preservation Areas comprising 2,711 acres. For the Forestland Preservation Area Easements, there are a total of 9 properties, comprising 872 acres, with a value of \$1,450,804.

**II. Young Farmers Report**

Austin Short informed the Board that 21 loans have settled and 2 additional prequalification forms have been received. The Bonniwell farm is pending from Round 3 and staff received the appraisals for round 4 applications on January 14.

**III. Monitoring Report:**

Milton Melendez informed the Board that all Federal parcels have been visited, and all non-Federal parcels have been visited for 2013. Chairman Gary asked about any discrepancies found in the monitoring. Mr. Melendez stated that the usual discrepancies are change in ownership which is taken care of by doing a title search and having a new agreement signed. Usually there is nothing major found,

**IV. District Eligibility & Final Approval (Contingent Sale):**

1. Hitch Farm District, ID#S-13-12-271. After discussion, **Kevin Coyle moved to accept for eligibility/final approval contingent upon sale, the Hitch Farm District, seconded by Lisa Embert. Motion unanimously approved.**

Mr. Austin Short informed the Board that the County Planning/Zoning Committee will consider this District on January 23, 2014 and he believes that they will approve this District. The proposed settlement for this contingent sale is February 3, 2014.

**V. District Final Approval:**

1. Stokely-Pettyjohn Tract District, ID#S-13-09-272. After discussion, **William Vanderwende moved to accept for final approval the Stokely-Pettyjohn Tract District, seconded by Chip Narvel. Motion unanimously approved.**

**VI. District Eligibility:**

1. Coolbranch District, ID#S-13-11-272. After discussion, **Chip Narvel moved to accept for eligibility the Coolbranch District, seconded by Lisa Embert. Motion unanimously approved.**

**VII. Expansion Eligibility and Final Approval (Contingent Sale):**

1. Cattle Crossing Farm Expansion of the Chipman Farms District, ID#S-13-12-080N After discussion, **Kevin Coyle moved to accept for eligibility/final approval, contingent upon sale, the Cattle Crossing Farm Expansion of the Chipman Farms District, seconded by Lisa Embert. Motion unanimously approved.**

**VIII. Expansion Eligibility and Final Approval:**

1. Sammons Farm Expansion of the Lin-Lo Farms, Inc. District, ID#S-13-11-182. After discussion, **Chip Narvel moved to accept for eligibility/final approval the Sammons Farm Expansion of the Lin-Lo Farms, Inc. District, seconded by Lisa Embert. Motion unanimously approved.**
2. A & N James Farm Expansion of the Eli Short District, ID#S-13-09-022C. After discussion, **William Vanderwende moved to accept for eligibility/final approval the A & N James Farm Expansion of the Eli Short District, seconded by Chip Narvel. Motion unanimously approved.**
3. Harris Expansion of the William G. Passwaters District, ID#S-13-11-170G. After discussion, **Allen Messick moved to accept for eligibility/final approval the Harris Expansion of the William G. Passwaters District, seconded by Lisa Embert. Motion unanimously approved.**
4. Shadrack Expansion of the Collins Acres District, ID#S-13-11-065O. After discussion, **Kevin Coyle moved to accept for eligibility/final approval the Shadrack Expansion of the Collins Acres District, seconded by Lisa Embert. Motion unanimously approved.**

**IX. Secretary of Agriculture's Veto:**

Secretary of Agriculture Ed Kee waived the right of veto for the above Expansions and Districts.

**X. Public Comments:**

No public comments were received.

**XI. Minutes:**

Chairman Garey asked if there were any comments or changes to the December 19, 2013 minutes. Hearing no changes, the Chairman asked for a motion to approve the minutes. **William Vanderwende moved to approve the December minutes, seconded by Allen Messick. Motion unanimously approved.**

**XII. Financial Highlights:**

Howard Mesick presented the Financial Statement for the month of December 31, 2013, informing the Foundation Board that we had, as of December 31, 2013, \$61,736.34 in the Foundation's interest bearing State of Delaware account. Interest income was \$14.63 and license plates income was \$245.00. Expenditures for the month of December totaled \$32,164.98. After discussion, **William Vanderwende moved to accept the December financial statement as presented, seconded by Ed Kee. Motion unanimously approved.**

**XIII. Executive Session:**

It was indicated by the Chairman that there was a need for an Executive Session to discuss the Purchase of Development Rights Round 18 and the Young Farmer Loan program. **Allen Messick moved to go into**

**Executive Session, seconded by Lisa Embert. Motion unanimously approved.** Executive Session started at 8:54 a.m.

The Executive Session ended at 9:15 a.m. **Ed Kee moved to go out of Executive Session, seconded by Chip Narvel. Motion unanimously approved.**

**XIV. Selection of Purchase of Development Rights Round 18**

After discussion, **William Vanderwende moved to move \$500,000 from the Young Farmers Loan Program funds into the Farmland Preservation funding account, seconded by Allen Messick. Motion unanimously approved.**

After additional discussion, **Allen Messick moved to approve the list of 44 properties to purchase development rights purchased in Round 18, seconded by Ed Kee. Motion unanimously approved.**

**XV. Review of Draft Legislation:**

Mike Parkowski presented the proposed legislation and asked the Board if they had any questions. Robert Emerson asked why changes are necessary. Mr. Parkowski explained that over a period of time most laws will require periodic changes to reflect new circumstances, changes in procedures, etc. Mr. Parkowski and Secretary Kee explained that we have been operating on an interpretation of the law for certain processes, and we would prefer to have these processes stipulated in the law. Mr. Parkowski stated that without the Board's endorsement, it was unlikely the legislation would pass the General Assembly. Secretary Kee added that the Governor's Office has reviewed the legislation and approved it. After further discussion, **William Vanderwende moved to endorse the draft legislation, seconded by Chip Narvel. Motion approved with one nay vote by Robert Emerson.**

**XVI. Other Business:**

Mr. Austin Short wanted to thank the Foundation staff, Paul Petrichenko from NRCS, Mike Parkowski and Erin Wright for their work on the Purchase of Development Rights 18.

**XVII. Adjournment**

As there was no further business to come before the Foundation the meeting adjourned at 9:30 a.m. The next meeting of the Foundation will be held on February 19, 2014 at the Delaware Department of Agriculture beginning at 8:30 a.m.

Respectfully submitted,

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Robert F. Garey  
Chairman